



City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

October 14, 2015

Zach Hughes
Office of Protected Resources
NOAA Fisheries
1315 East-West Highway
Silver Spring, MD 20910

RE: Elliott Bay Seawall Project Letter of Authorization Renewal Request, and
Transmittal of the Revised Marine Mammal Monitoring and Acoustic
Monitoring Annual Reports for Season 2

Dear Mr. Hughes:

The Marine Mammal Protection Act Letter of Authorization for the Elliott Bay Seawall Project will expire on October 21, 2015. The City of Seattle Department of Transportation (SDOT) requests a renewal of the Project's Letter of Authorization (LOA) to allow project construction to continue this winter (2015/2016). In addition, SDOT requests the period of the next LOA to be October 22, 2015 through August 31, 2016, so that the start of the subsequent LOA will align with the start of the in-water work window for this Project. During this period, the contractor will be using a vibratory hammer to extract previously installed in-water steel sheet piles and may install new in-water steel sheet piles. It is anticipated that this activity will take less than 35 days.

As a part of the renewal, SDOT also requests an increase in allowable Level B Harassment take for California sea lions (*Zalophus californianus*) from the anticipated 5 per day to 7 per day. This is based on the Project's observations as documented in the EBSP Marine Mammal Monitoring Reports for Seasons 1 and 2 in which an average of 7 California sea lions were observed daily. This is largely due to a group of California sea lions that have been present nearly every monitoring day near a mooring buoy that is visible from the Alki monitoring station. The group appears to be unaffected by the project's pile driving, as evidenced by their lack of response when pile driving begins or ends.

Over the next several months, we will be planning the work that will occur during the 2016/2017 in-water work period, which will be the subject of the project's 4th LOA renewal request. When more information is available, we will update you on the activities and any

changes that may be proposed. We understand that to allow adequate administrative time, NOAA would like this information no later than March 2016.

This letter also transmits the Revised Marine Mammal Monitoring and Acoustic Monitoring Reports for Season 2. We have made the revisions that we discussed on the September 29, 2015 conference call. We look forward to resolving any additional comments that you might have.

Thank you for all of your efforts in this matter. Please contact me if you have any questions or need additional information at (206) 733-9117 or mark.mazzola@seattle.gov.

All the best,



Mark Mazzola
Environmental Manager

cc: Jessica Murphy, SDOT
Maureen Meehan, SDOT
Heather Page, Anchor QEA
Jennifer Horwitz, Anchor QEA

Attachments